

**Testimony before the
House Committee on Homeland Security**

**Subcommittee on Management, Investigations, and Oversight
United States House of Representatives**

“What Comes after Quadrennial Homeland Security Review?”

April 29, 2010

My name is Dr. James Jay Carafano. I am the Deputy Director of the Kathryn and Shelby Cullom Davis Institute for International Studies and the Director of Douglas and Sarah Allison Center for Foreign Policy Studies at The Heritage Foundation. The views I express in this testimony are my own, and should not be construed as representing any official position of The Heritage Foundation.

Thank you for the opportunity to appear before the committee today and address this vital subject. In my testimony today I would like to address what I see as the key lessons from the process of conducting the first-ever Quadrennial Homeland Security Review and what can be done to enhance the oversight role of Congress and the dialogue between the legislative branch and the Department of Homeland Security. I will focus my comments on: (1) improving methods of analysis, (2) enhancing cooperation with the Congress, and (3) establishing priorities for implementation.

My responsibilities at The Heritage Foundation comprise supervising all the foundation’s research on public policy concerning foreign policy and national security. Homeland security has been a particular Heritage research priority. The foundation produced the first major assessment of domestic security after 9/11.¹ Over the past nine years we have assembled a robust, talented, and dedicated research team. I have had the honor and privilege of leading them for over eight years. Heritage analysts have studied and written authoritatively on virtually every aspect of homeland security and homeland defense. The results of all our research are publicly available on the Heritage Web site at www.heritage.org. We collaborate frequently with the homeland security research community, including the Center for Strategic and International Studies (CSIS), the Aspen Institute, the Center for National Policy, the Hudson Institute, the George Washington University Homeland Security Policy Institute, and the Strategic Studies Institute and Center for Strategic Leadership at the Army War College. Heritage analysts also serve on a variety of government advisory efforts, including task forces under the Homeland Security Advisory Council and Advisory Panel on Department of Defense Capabilities for Support of Civil Authorities. Our research programs are non-partisan, dedicated to developing policy proposals that will keep the nation safe, free, and prosperous.

Call to Action

¹L. Paul Bremer III and Edwin Meese III, *Defending the American Homeland: A Report of the Heritage Foundation Homeland Security Task Force* (Washington, D.C.: The Heritage Foundation, 2002).

In 2004 David Heyman, who headed the Homeland Security program at CSIS (and who now is Assistant Secretary for Policy at the U.S. Department of Homeland Security), and I led a research project that produced “DHS 2.0: Rethinking the Department of Homeland Security,” the first comprehensive review of the newly established Department of Homeland Security.² One of the key steps we proposed for implementing the recommendations in the report was that “Congress should establish a requirement for DHS to conduct quadrennial reviews....”³ The Implementing the Recommendations of the 9/11 Commission Act of 2007 established the requirement for this review.⁴

I had an opportunity to observe the process of conducting the review as a member of the department’s Quadrennial Review Advisory Committee. The committee met periodically with the management team overseeing the review and the leadership of the department through each step of the process of determining the structure of the review, through data collection and outreach, the assessment phase, and the production of the final report.

The department should be commended for the seriousness with which it undertook the Quadrennial Homeland Security Review (QHSR) process. When the Department of Defense undertook its first Quadrennial Defense Review (QDR) in 1996, it had the advantage of being a standing department with an almost 50 year history, a large support staff and a well-developed set of analytical tools, strategies, and policies on which to draw. DHS had none of these. Furthermore, it had undertaken the review during the department’s first-ever transition in presidential leadership. Given all these conditions, completing a thoughtful and relevant assessment that met statutory guidelines was a real achievement. In addition, DHS should be commended in the transparency that it allowed during the review, as well as its effort to reach out to stakeholders.⁵

As a result of the department’s effort Congress has a document that can serve as a basis for dialogue on our national homeland security enterprise. To me the report suggests a clear “to-do list” for both the Administration and the Congress. Three items should top the agenda.

#1 Improve Methods of Analysis

²James Jay Carafano and David Heyman, “DHS 2.0” Rethinking the Department of Homeland Security,” Heritage Foundation Special Report, SR-02, December 13, 2004, at <http://www.heritage.org/Research/Reports/2004/12/DHS-20-Rethinking-the-Department-of-Homeland-Security>.

³James Jay Carafano, testimony before the Senate Committee on Homeland Security and Government Affairs, January 25, 2005 at www.heritage.org/Research/Testimony/Before-the-Senate-Committee-on-Homeland-Security-and-Government-Affairs.

⁴Jena Baker McNeill, “The Quadrennial Homeland Security Review: A Vital Tool for the Obama Administration,” Heritage Foundation Backgrounder No. 2215, December 12, 2008, at http://s3.amazonaws.com/thf_media/2008/pdf/bg2215.pdf.

⁵While DHS should be commended for its outreach effort, the process for prioritizing, gathering, assessing, and integrating stakeholder was immature, inefficient, and of doubtful value. I commend the recommendations of the report by a panel of the National Academy of Public Administration which analyzed the outreach effort. See, Franklin, S. Reader, et al. “The National Dialogue on the Quadrennial Homeland Security Review,” National Academy of Public Administration, April 2010, at www.napawash.org/pc_management_studies/DHS/QHSR/QHSRFinalReport.pdf (April 25, 2010).

One clear limitation of the QHSR was that the department lacks a methodology to identify issues and appropriate methods of analysis to address them as well as sufficient analytical tools to undertake the analysis.⁶

Homeland security presents a uniquely challenging set of public policy issues. The national homeland security enterprise is a vast, complex system that includes a vast array of federal, state, local, tribal, private sector, community, non-governmental, and international entities.⁷ A system is “any set of regularly interacting factors and activities that has definable boundaries and that produces measurable outputs.”⁸ The complexity of a system is determined by the number and diversity of interacting components. When systems become overly complex, their behavior cannot be easily predicted by traditional methods of analysis (breaking a system into its component parts and analyzing elements in detail).⁹ These systems are described as complex “non-linear.” Non-linear environments make it extremely difficult to map the cause and effect between variables. Indeed, in such environments isolating independent variables (a single factor that can be manipulated that will drive the behavior of the whole system) may be impossible. In a complex system, elements are so interconnected and their relationship so multifaceted that their properties cannot be properly understood without assessing their interrelationship with each other as well as their relationship with the wider system and its environment. Many homeland security challenges require mastering an understanding of complex, non-linear systems.¹⁰

QHSR findings would have greatly benefited from robust analytical complex systems analysis. There are several areas where the lack of analytical capacity is clearly apparent.

- **Defense Support to Civil Authorities.** Military support to civil authorities for homeland security missions is vital. Yet, DHS still lacks the capacity to develop requirements for this support. As a result, an opportunity was lost to link the analysis done in the Defense Department’s QDR with the QHSR. This had immediate and detrimental impact. The QDR cut the number of specially trained and equipped forces prepared to respond to chemical, biological, nuclear, radiological, and high explosive attacks by almost 20 percent. The Pentagon, however, is pushing forward with realignment plans by decreasing the number of Consequence Management Response Forces (CCMRF) from three to one and moving personnel from two CCMRFs to 10 smaller Homeland Response Forces in each of the FEMA districts. The Pentagon claims this is a slight structural

⁶For more on this issue see James Jay Carafano, ““Thinking the Future,” *The Whitehead Journal of Diplomacy and International Relations* (Summer/Fall 2009), pp. 27-38, at www.isn.ethz.ch/isn/Digital-Library/Publications/Detail/?ots591=0C54E3B3-1E9C-BE1E-2C24-A6A8C7060233&lng=en&id=112018 (April 25, 2010).

⁷David Heyman and James Jay Carafano, “Homeland Security 3.0: Building a National Enterprise to Keep America Safe, Free, and Prosperous,” The Heritage Foundation and the Center for International and Strategic Studies,

⁸Richard L. Kugler, *Policy Analysis in National Security Affairs: New Methods for a New Era* (Washington, D.C.: National Defense University Press, 2006), p. 218.

⁹L.A.N. Amaral and J.M. Ottino, “Complex Networks: Augmenting the Framework for the Study of Complex Systems,” *The European Physical Journal*, May 14, 2004, at amaral.northwestern.edu/Publications/Papers/Amaral-2004-Eur.Phys.J.B-38-147.pdf (April 13, 2009).

¹⁰Yaneer Bar-Yam, “Multiscale Representation Phase I,” New England Complex Systems Institute, August 1, 2001, at www.necsi.edu/projects/yaneer/SSG_NECSI_1_CROP.pdf (April 13, 2009); James Jay Carafano and Richard Weitz, “Complex Systems Analysis: A Necessary Tool for Homeland Security,” Heritage Foundation *Background* No. 2261, April 16, 2009, at www.heritage.org/Research/HomelandSecurity/bg2261.cfm.

realignment, but such an organizational change and personnel decrease would have a major impact on the ability of the U.S. to respond to a large-scale disaster by reducing the sheer number of specially prepared, dedicated forces to such a response.¹¹ Meanwhile, the QHSR remained virtually silent on military support requirements.

- **Immigration and Border Security.** The QHSR identifies “Securing and Managing Our Borders” and “Enforcing and Administering Our Immigration Laws” as priority departmental missions. Together the border and commerce, transnational criminal, and migration flows constitute a complex system.¹² Yet, DHS lacks the capacity to analyze the border and migration flows as an integrated system. The Administration supports legislation that would grant amnesty to the millions unlawfully present in the U.S., arguing this would enhance government’s capacity to control the border, improve public safety, grow the economy, and enforce immigration laws. When this strategy was attempted in 1986, however, it utterly failed. The QHSR provides no analytical basis for suggesting why the system would not fail again in the same way. Nor did it assess alternative strategies that might better address the problem.¹³
- **National Preparedness and National Risk.** The legislation establishing the QHSR required DHS to assess national preparedness. In addition, the QHSR established as a priority “national-level homeland security risk assessments” (p. 65). These requirements seem intuitively valuable. In practice, they would likely amount to little more than “shelfware,” studies that have no meaningful application. There is no analytical basis to determine if these assessments are achievable and meaningful. Understanding risk and preparedness requires context. There are so many variables in each kind and type assessment, and they are so complex and different, that is difficult to imagine how aggregating them would provide useful insights into mitigating risks.¹⁴

Recommendations

¹¹Jena Baker McNeill, “Quadrennial Defense Review’s Homeland Defense Realignment Leaves U.S. Less Prepared,” Heritage Foundation *WebMemo* No. 2865, April 15, 2010, at www.heritage.org/Research/Reports/2010/04/Quadrennial-Defense-Reviews-Homeland-Defense-Realignment-Leaves-US-Less-Prepared (April 25, 2010); James Jay Carafano, “Obama is Unprepared for Disaster,” *Washington Examiner*, March 29, 2010 at www.washingtonexaminer.com/opinion/columns/Obama_s-U_S_-is-unprepared-for-disaster-89360027.html (April 25, 2010).

¹²David B. Muhlhausen, Ph.D., “Building a Better Border: What the Experts Say,” Heritage Foundation *Backgrounder* No. 1952, July 17, 2006, at www.heritage.org/static/reportimages/61B2F37CAC2EEC388C2444D8BF5E892D.pdf. James Jay Carafano, “Border Security and State Safety and Security: Addressing Common Agendas” in Simon Hakim and Erwin A. Blackstone, eds., *Safeguarding Homeland Security: Governors and Mayors Speak Out* (New York: Springer, 2009); James Jay Carafano, “Safeguarding America’s Sovereignty: A “System of Systems” Approach to Border Security,” Heritage Foundation *Backgrounder* No. 1898, November 28, 2005, at www.heritage.org/Research/Reports/2005/11/Safeguarding-Americas-Sovereignty-A-System-of-Systems-Approach-to-Border-Security.

¹³Edwin Meese III, James Jay Carafano, Matthew Spalding, and Paul Rosenzweig, “Alternatives to Amnesty: Proposals for Fair and Effective Immigration Reform,” Heritage Foundation *Backgrounder* No. 1858, June 5, 2005, at www.heritage.org/Research/Reports/2005/06/Alternatives-to-Amnesty-Proposals-for-Fair-and-Effective-Immigration-Reform.

¹⁴For an assessment of risk management see, James Jay Carafano, testimony before the Sub-Committee on Transportation Security and Infrastructure Protection, Committee on Homeland Security United States House of Representatives June 24, 2008, at homeland.house.gov/SiteDocuments/20080625151302-26534.pdf (April 25, 2010).

Congress and DHS should work together to address the shortfalls in the department's analytical capabilities.

- **Congress should demand an action plan.** DHS must have a program to institutionalize multidisciplinary analysis, including expertise in complex systems analysis in the national homeland security enterprise.¹⁵
- **DHS should integrate complex systems analysis into a net assessment office.** Net assessment, a widely used tool within the intelligence community, complements and contributes to complex systems analysis. Net assessment is based on the understanding that all national security challenges are a series of actions and counteractions between competitors. The purpose of examining these actions and counteractions is to assess how these competitions could develop in the future. The Department of Homeland Security has considered establishing an Office of Net Assessment within its policy and planning directorate. This office should include developing expertise in employing complex systems analysis to develop policy recommendations.¹⁶
- **DHS should add complex systems analysis to the Homeland Security Professional Development Program.** Homeland security needs the foundation of a professional development system that will provide the cadre of leaders required to meet the demands of the 21st century. This foundation must include education, training assignments, and accreditation tools that can help develop professionals for homeland security and other critical interagency national security activities. Developing expertise in critical systems and multidisciplinary analysis should be a core component of any professional development curriculum. The government should have a "brick and mortar" homeland security university dedicated to teaching these and other essential national security management, leadership, and decision-making skills.¹⁷

#2 Enhance Cooperation with Congress

One clear advantage of conducting the QHSR in the first year of the Administration is that it allows the Secretary to undertake a through strategic assessment and use the review to help establish long-term goals as well as engage the Congress on the most critical homeland security priorities. In order for this effort to be as efficient and effective as possible, a permanent QHSR office must be established and maintained to undertake preparatory efforts, including working with the Congress on determining the statutory requirements for the report; conducting long-term analytical studies to support QHSR analysis; and coordinating with the interagency community and state, local, tribal, private sector, and international partners. Having this office in place and

¹⁵James Jay Carafano and Richard Weitz, "Complex Systems Analysis: A Necessary Tool for Homeland Security," Heritage Foundation *Background* No. 2261, April 16, 2009, at www.heritage.org/Research/Reports/2009/04/Complex-Systems-Analysis-A-Necessary-Tool-for-Homeland-Security.

¹⁶James Jay Carafano, Frank J. Cilluffo, Richard Weitz, and Jan Lane, "Stopping Surprise Attacks: Thinking Smarter About Homeland Security," Heritage Foundation *Background* No. 2026, April 23, 2007, at www.heritage.org/Research/HomelandDefense/bg2026.cfm (April 13, 2009).

¹⁷James Jay Carafano, "Missing Pieces in Homeland Security: Interagency Education, Assignments, and Professional Accreditation," Heritage Foundation *Executive Memorandum* No.1013, October 16, 2006, at www.heritage.org/Research/HomelandSecurity/em1013.cfm (April 25, 2010).

conducting the long-term preparations for the QHSR would significantly reduce the time and effort required for a new Administration to undertake a review during its first year.

The QHSR should also be seen as an ongoing process that includes not only developing statutory reporting requirements, but also consultation during the review process and after the report is delivered. The review can and should be the premier instrument for strategic dialogue with the Congress, but established procedures for systematic consultation should be implemented and maintained during the years before and after the submission of the report. A permanent QHSR office could best facilitate this activity.

Recommendations

Congress can also take additional actions to ensure that the dialogue between the DHS and other federal agencies and the legislative branch is improved. Congress should:

- **Consolidate jurisdiction over DHS into single committees in each chamber.** Congress cannot serve as effective partner in assessing and implementing the QHSR as long as oversight of DHS remains fractured and diffuse. The final report of the 9/11 Commission reaffirmed the importance of fixing congressional oversight. The commission held that “Congress should create a single, principal point of oversight and review for homeland security. Congressional leaders are best able to judge what committee should have jurisdiction over this department [DHS] and its duties. But we believe Congress has the obligation to choose one in the House and one in the Senate, and that this committee should be a permanent standing committee with a nonpartisan staff.” As the report also noted, one expert witness appearing before the commission testified that the lack of effective congressional oversight is perhaps the single greatest obstacle impeding the successful development of DHS.¹⁸
- **Create an Undersecretary for Policy and Planning.** The Undersecretary should serve as the Secretary’s chief policy official within the department. The responsibilities of the Undersecretary for Policy should include (1) coordinating DHS policy, (2) establishing and directing a formal policymaking process for the department and oversee a policymaking board, (3) conducting long-range policy planning, (4) preparing critical strategic documents, (5) ,conducting program analysis, and (6) preparing net assessments.¹⁹
- **Establish a bipartisan caucus that meets regularly to consider issues affecting the national homeland security enterprise.** Congress currently lacks a forum to inform members on these issues in a holistic manner. A caucus could help fulfill this role.²⁰

#3 Establish Priorities for Implementation

¹⁸Carafano and Heyman, “DHS 2.0,” p. 19.

¹⁹James Jay Carafano, Richard Weitz, and Alane Kochems, “Department of Homeland Security Needs Under Secretary for Policy,” *Heritage Backgrounder* No. 1788, August 17, 2004, at www.heritage.org/Research/Reports/2004/08/Department-of-Homeland-Security-Needs-Under-Secretary-for-Policy.

²⁰Heyman and Carafano, “Homeland Security 3.0,” p. 5.

The greatest virtue of the QHSR is that it provides a framework to organize the roles and missions of the department in terms of strategic ends, ways, and means. As Professor Cindy Williams at MIT pointed out in an authoritative study in 2008, “[f]ive years later, the nation’s homeland security effort is anything but unified. Core legacy organizations that migrated into DHS still generally set their own agendas, often with strong backing from supporters in Congress.”²¹ The QHSR offers a mechanism to more thoroughly integrate and prioritize the operations of the department.

The QHSR rightly recognizes that the department must serve as the steward of a national homeland security enterprise. The department and the Congress should give highest priority to the initiatives that will strengthen the leadership role of DHS over the national enterprise.

Recommendations

In particular, Congress and the Administration should strengthen the department’s role in:

- **Resiliency and Response.** The Administration is currently rewriting HSPD-7 and HSPD-8, two key presidential directives that govern the protection of critical infrastructure and disaster preparedness. The Administration should strengthen the department’s leadership role in both policy directives. In particular, the federal government should develop and implement a national planning capability for preparedness and response to guide resource allocation and investment across the federal government and to state and local communities. In particular, the Integrated Planning System needs to be revitalized and implemented and renewed emphasis must be given to disaster scenarios including updating them to address emergent threats such as Electromagnetic Pulse and armed assaults on the U.S. homeland.²²
- **International Leadership.** The department has substantial international responsibilities yet lacks technical and statutory authority to engage overseas partners. In particular, the department should have expanded authority in providing international assistance and development. The U.S. should establish security assistance sales, lease, and grant programs that allow DHS to assist countries in obtaining equipment, support, and financing for homeland security functions. One option, for example, would be to establish a “security for freedom fund” to provide the department a congressional authorized program for assisting other nations in developing their homeland security

²¹Cindy Williams, “Strengthening Homeland Security: Reforming Planning and Resource Allocation,” Report for the 2008 Presidential Transition Series of the IBM Center for the Business of Government (Washington, D.C.: IBM, 2008), p. 6.

²²James Jay Carafano, “Preparations Means Planning Ahead of Time,” *Washington Examiner*, December 14, 2009, at www.washingtonexaminer.com/opinion/columns/Preparation-means-planning-ahead-of-time-8655242-79171502.html (April 25, 2010); Matt A. Mayer and James Jay Carafano, “National Disaster Planning Slowed by Inadequate Interagency Process,” Heritage Foundation *Backgrounder* No. 2079, October 24, 2007, at www.policyarchive.org/handle/10207/bitstreams/13040.pdf; Jena Baker McNeill and Richard Weitz, “Electromagnetic Pulse (EMP) Attack: A Preventable Homeland Security Catastrophe,” Heritage Foundation *Backgrounder* No. 2199, October 8, 2008, at www.heritage.org/Research/Reports/2008/10/Electromagnetic-Pulse-EMP-Attack-A-Preventable-Homeland-Security-Catastrophe; James Jay Carafano, “Lessons from Mumbai: Assessing Armed Assault Threats to the United States,” Heritage Foundation *Backgrounder* No. 2219, December 10, 2008, at www.heritage.org/Research/Reports/2008/12/Lessons-from-Mumbai-Assessing-Armed-Assault-Threats-to-the-United-States.

systems.²³ The department should also establish a formal, integrated education and training program similar to IMET. This would include training in the United States, mobile training teams that would deploy overseas, and support for international programs.²⁴ Research and development is another area of international cooperation. The Support Anti-Terrorism by Fostering Effective Technologies (SAFETY) Act lowered the liability risks of manufacturers that provide products and services used in combating terrorism. The act, passed in 2002, protects the incentive to produce products that the Secretary of Homeland Security designates as “Qualified Anti-Terrorism Technologies.” DHS should work to engage other nations in a serious dialogue on expanding the umbrella of liability protection for developing effective anti-terrorism technologies by encouraging cooperative and reciprocal liability protection programs.²⁵

- **Counterterrorism Operations.** The Intelligence Reform and Terrorism Prevention Act of 2004 neglected DHS’s role in counterterrorism operations. Congress and the Administration should consider whether the department should play a more prominent leadership role in the Terrorist Screening Center and the National Counterterrorism Center. In addition, Congress and the Administration should consider how to better integrate the myriad of counterterrorism capabilities, operations, and activities in the command, possibly through a “joint” structure similar to that employed by the U.S. military Combatant Commands or by emulating operations such as those conducted by Joint Interagency Task Force South in Key West. The President should issue an executive order establishing a national domestic counterterrorism and intelligence framework that clearly articulates how intelligence operations at all levels should function to combat terrorism, while keeping citizens safe, free, and prosperous.²⁶
- **Cyber Leadership.** The QHSR emphasizes the important role the department should play in promoting cyber security knowledge and innovation (pp. 56–57). The top priority of this effort should be in promoting cutting-edge research and developing the “human capital” for national cyber security leadership. The U.S. needs leaders who understand the need for strategies of resiliency—methods for ensuring that basic structures of global, national, and local economies remain strong after a cyber attack, other malicious acts, or disasters. A cyber-strategic leadership program is necessary for constructing a resiliency strategy for the 21st century. Cyber-strategic leadership is a set of knowledge, skills, and attributes essential to all leaders at all levels of government and the private sector. The Obama Administration should build on the National Security Professional Development process to educate, certify, and track national security professionals. This program should be modified based on the experience of the past two years in attempting

²³James Jay Carafano and Henry Brands, “Building a Global Freedom Coalition with a New ‘Security for Freedom Fund,’” Heritage Foundation *Background* No. 2236, February 4, 2009, at www.heritage.org/Research/Reports/2009/02/Building-a-Global-Freedom-Coalition-with-a-New-Security-for-Freedom-Fund.

²⁴James Jay Carafano and Richard Weitz, “Enhancing International Collaboration for Homeland Security and Counterterrorism,” Heritage Foundation *Background* No. 2078, October 18, 2007, at s3.amazonaws.com/thf_media/2007/pdf/bg2078.pdf.

²⁵James Jay Carafano, “Fighting Terrorism, Addressing Liability: A Global Proposal,” Heritage Foundation *Background* No. 2138, May 21, 2008, at http://safetyactconsultants.com/yahoo_site_admin/assets/docs/Heritage_Foundation_SAFETY_Act_5-21-2008.32823618.pdf.

²⁶Heyman and Carafano, “Homeland Security 3.0,” pp. 14-17.

to implement the program and be used to develop leaders skilled in cyber-strategic leadership and other critical national security missions. Research is also vital. A 2007 Computer Science and Telecommunications Board research report rightly concluded that government's research agenda is deeply flawed. The report goes on to lay out an appropriate research agenda, including such issues as deterring would-be attackers and managing the degradation and reconstitution of systems in the face of concerted attacks.²⁷

Thank you for the opportunity to address the QHSR and the next steps that the department and the Congress should take together to keep the nation safe, free, and prosperous. I look forward to your questions.

²⁷Computer Science and Telecommunications Board, *Toward A Safer and More Secure Cyberspace* (Washington, DC: National Academies Press, 2007); The White House, "Executive Order: National Security Professional Development," May 2007, at www.whitehouse.gov/news/releases/2007/05/20070517-6.html (December 2, 2008); James Jay Carafano, "Missing Pieces in Homeland Security: Interagency Education, Assignments, and Professional Accreditation," Heritage Foundation *Executive Memorandum* No. 1013, October 16, 2006, at www.heritage.org/Research/HomelandSecurity/em1013.cfm.

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